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5 NORTH AMERICAN CAPACITY INSURANCE and  
NORTH AMERICAN SPECIALTY INSURANCE COMPANY

7 **UNITED STATES DISTRICT COURT**  
8 **EASTERN DISTRICT OF CALIFORNIA**  
9 **FRESNO DIVISION**

10 MISSION DEVELOPMENT NO. 5084, a  
California Limited Partnership; MISSION  
11 HOMES, INC.; and MJ CONSTRUCTION  
CO., a California corporation,

12 Plaintiffs,

13 vs.

14 NORTH AMERICAN CAPACITY  
15 INSURANCE COMPANY; NORTH  
AMERICAN SPECIALTY INSURANCE  
16 COMPANY; and DOES 1 through 100,  
inclusive,

17 Defendants.  
18

Case No. 1:12-cv-01229-LJO-MJS  
*[Assigned to Magistrate Michael J. Seng]*

**ORDER TO DISMISS ENTIRE ACTION**

19 Pursuant to stipulation of all parties, including Plaintiffs MISSION DEVELOPMENT  
20 NO. 5084, a California Limited Partnership, MISSION HOMES, INC. and MJ  
21 CONSTRUCTION CO., a California corporation and Defendants NORTH AMERICAN  
22 CAPACITY INSURANCE COMPANY and NORTH AMERICAN SPECIALTY  
23 INSURANCE COMPANY, and good cause existing therefore,

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**IT IS HEREBY ORDERED** that the entire action be and hereby is dismissed with prejudice, with each party to bear their own costs. The clerk is directed to close this action.

IT IS SO ORDERED.

Dated: June 4, 2013

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE